

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD SALVATIERRA,

Plaintiff,

-against-

SUPERINTENDENT WILLIAM CONNOLLY,
CORRECTIONAL OFFICER MONTGOMERY,
SERGEANT TELESKO,
CORRECTIONAL OFFICER LUJAN,
CORRECTIONAL OFFICER CROOM,
CORRECTIONAL OFFICER DAWLEY,
DOCTOR MAMIS,
CAPTAIN PELC, and
SENIOR CORRECTIONAL OFFICER C. GOOD,

Defendants.
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09 Civ. 3722 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On February 29, 2012 Magistrate Judge Debra Freeman issued a Report and Recommendation recommending that (1) the motion to dismiss by all defendants except Sean Dawley and Keith J. Montgomery be granted with prejudice; and (2) the motion to dismiss by defendant Dawley be granted with prejudice, or, alternatively, that the motion be converted to one for summary judgment and then granted in Dawley's favor, with prejudice. Objections to the Report and Recommendation were due on March 19, 2012. Plaintiff has not objected.

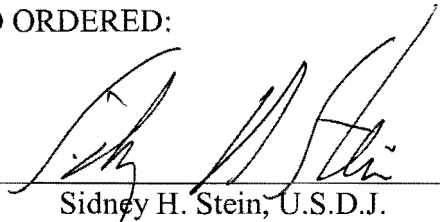
After a *de novo* review of the Report and Recommendation dated February 29, 2012,

IT IS HEREBY ORDERED that:

1. Magistrate Judge Freeman's Report and Recommendation is adopted with respect to each motion to dismiss;
2. The motion to dismiss all defendants except Sean Dawley and Keith J. Montgomery (Dkt. No. 62) is granted with prejudice; and,
3. The motion to dismiss by Sean Dawley (Dkt. No. 78) is granted with prejudice.

Dated: New York, New York
March 26, 2012

SO ORDERED:



Sidney H. Stein, U.S.D.J.